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October 6, 2020

VIA ECF

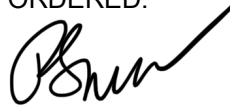
The Hon. Philip M. Halpern
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Antoine Simmons v. War
Center, John Doe Dr., Jac
Teperman, Nurse Lee Ell
Police Department, Offic
McManus, Heide Mason,
W.C., Yonkers Police Of
Docket No.: 7:17-cv-08886-KMK
Our File No.: 804519

Application granted in part. Defendant's time to serve and file a reply to Plaintiff's opposition papers is extended to and including October 19, 2020.

The Clerk is respectfully directed to mail a copy of this Order to Plaintiff and to terminate the pending motion sequences at Docs. 171 and 174.

SO ORDERED.


Philip M. Halpern
United States District Judge

Dated: New York, New York
October 7, 2020

Dear Honorable Judge Halpern:

We represent Frank Weber, D.D.S. in the above referenced matter.

Today, plaintiff's Opposition to Dr. Weber's Motion to Dismiss was uploaded to the Court's electronic filing site. Plaintiff's Opposition is untimely, since as per the Court's Order, plaintiff had until September 25, 2020 to file and serve Opposition (ECF #168). The Order set a deadline of October 2, 2020 for defendant's Reply to be served.

In light of plaintiff's untimely Opposition, we respectfully request that the Opposition not be considered by the Court. If the Court does consider plaintiff's Opposition, defendant, Dr. Weber, respectfully requests one week in which to submit Reply papers.

Thank you for your consideration of our application.

Very truly yours,

RAWLE & HENDERSON LLP

By:



Robert A. Fitch

RAF/IVF/sld

Via Regular Mail

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All remaining parties served by ECF